



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twenty Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CMA(MD) No.1073 of 2016

National Insurance Co. Ltd.,
Through its Divisional Manager,
No.3, North Veli Street,
Madurai - 625 001.

.. Appellant/2nd Respondent

-Vs-

1.K.Muthuraja

.. 1st Respondent/Petitioner

2.S.Rajangam

.. 2nd Respondent/1st Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the Judgment and Decree dated 12.12.2013 made in M.C.O.P.No.1407 of 2010 on the file of the Motor Accident Claims Tribunal, Principal Subordinate Court, Madurai.

DECREE : This Appeal coming on for hearing on this day upon perusing the petition of Appeal, the order of the Lower Court, and upon hearing the arguments of Mr.J.S.Murali, Advocate for the Appellant herein and any persons appeared on Advocate 1 and 2 Respondents and while allowing the Civil Miscellaneous Appeal doth order and here as follows :

1) that the award amount passed by the principal Subordinate Court, Madurai dated 12.12.2013 made in M.C.O.P.No.1407 of 2010 be and hereby set aside in respect of the appellant/Insurance Company and the Instance Company is exonerated from its liability.

2) that the appellant Insurance Company is permitted to withdraw the deposit amount with accrued interest and costs by filing appropriate application before the Tribunal.

3) that the 2nd Respondent /owner is directed to deposit the entire award amount with accrued interest within a period of six weeks from the date of receipt of a copy of this order.

4) that on such deposit of Compensation amount, the 1st Respondent/Claimant is permitted to withdraw the award amount through RTGS by filing appropriate application before the Tribunal.



5. that there be no costs.

sd/-

Assistant Registrar (CS-II)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

WEB COPY

To
The Motor Accident Claims Tribunal,
Principal Subordinate Judge,
Madurai.

Copy to:
The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1CC to Mr.J.S.Murali, Advocate Sr.No.74200

GJM/RR/ME/27.1.17-3p-4C

DECREE

IN

CMA(MD) No.1073 of 2016

Date :29/11/2016

Nature of DECREE : Allowing the
Judgment and Decree dated
12.12.2013 made in
M.C.O.P.No.1407 of 2010 on the
file of the Motor Accidents
Claims Tribunal, Principal
Subordinate Court, Madurai,
stated within & etc.,